

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	Civil Action No. 05-11598-WGY
Plaintiff,)	
)	
v.)	NOTICE OF ELECTRONIC FILING OF
)	A FEDERAL OBSERVER REPORT
CITY OF BOSTON,)	FOR THE NOVEMBER 7, 2006 GENERAL
)	ELECTION
Defendants.)	

Pursuant to Section 8 of the Voting Rights Act of 1965, 42 U.S.C. § 1973f ("Section 8"), as amended Pub. Law 109-246, 120 Stat. 577 (2006), counsel for Plaintiff hereby files the a report created by federal observers who were present at polling sites in the City of Boston, Massachusetts for the November 7, 2006 General Election. Federal observer presence at these elections was authorized by this Court's October 18, 2005 Order in the instant case, granting relief under Section 3(a) of the Voting Rights Act, as amended, 42 U.S.C. § 1973a(a) ("Section 3(a)").

Section 8 requires federal observers whose presence is authorized pursuant to Section 3(a) to report to the Attorney General and the Court. The United States is filing these reports to satisfy this statutory requirement. See 42 U.S.C. § 1973f, as amended.

For purposes of this public filing, the United States has protected the privacy of certain information contained in the report, including but not limited to, the identity and address of persons voting or attempting to vote, and the identity of persons other than poll officials and poll watchers who provided assistance to individual voters. The United States has therefore redacted that information.

The report has been submitted as an attachment to this electronic filing. In addition, we are sending an electronic copy of the report to counsel for Defendants on compact disk.

The original federal observer report shall be maintained in the offices of the United States Department of Justice, Civil Rights Division, Voting Section.

Date: 17th day of January, 2007

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Veronica Jung
JOHN TANNER, Chief
SUSANA LORENZO-GIGUERE
Acting Deputy Chief
VERONICA SEUNGWON JUNG
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United States Department of Justice
Civil Rights Division
Voting Section
950 Pennsylvania Avenue NW - NWB-7254
Washington, D.C. 20530
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veronica.jung@usdoj.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies to be an employee of the United States Department of Justice and to be a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

**NOTICE OF ELECTRONIC FILING OF A FEDERAL OBSERVER REPORT
FOR THE NOVEMBER 7, 2006 GENERAL ELECTION**

United States v. City of Boston, et al., Civil Action No. 05-11598-WGY

to be served this date upon the parties as follows:

___ **FIRST CLASS MAIL**, by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

___ **FACSIMILE (FAX)**, Telephone No.: _____

X **FEDERAL EXPRESS**

___ **HAND-DELIVERED**

to the parties addressed as follows:

William Sinnott
Corporation Counsel
Boston City Hall, Room 615
Boston, MA 02201

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 17th day of January, 2007, in Washington, D.C..

/s/ Angela Kim
ANGELA KIM



United States
**Office of
Personnel Management**

Voting Rights Program Office
PO Box 25167
Denver, CO 80225-0167

In Reply Refer to: Your Reference:

VR-2006

Attorney General of the United States
Department of Justice
Washington, DC 20530

RE: Election of 11/7/06
(Date)

Massachusetts
(State)

SUFFOLK
(County)

BOSTON
(Municipality)

KENT School
(Name of Polling Place)

2
(Precinct #)

Wd. 2
(Ward Districts/Assembly Districts/
Election Districts -
WD/AD/ED, if applicable)

Dear Attorney General:

Pursuant to Section 8 of the Voting Rights Act of 1965, the undersigned served as Office of Personnel Management Observers for the election described above. Enclosed is the report for that election, submitted pursuant to Section 8, which we certify to be an accurate report of our observations.

Respectfully yours,

Observer(s):

Print Diana Peoples
(Name)

Sign Diana Peoples

Print Johnson Yuen
(Name)

Sign Johnson Yuen

Print Tina Thuy-Hang Pham
(Name)

Sign Tina Thuy-Hang Pham

The Time Observers:

Arrived at Polls 3:15 pm.

Departed Polls 8:30 PM

Instructions to Observers: Complete this report in **BLACK INK ONLY**. Each team member must sign coversheet and initial all subsequent pages of report, including charts, in lower left corner.

1. VOTING STATISTICS

A. Number of Persons Attempting to Vote at the Polls	Total	Indian	Hispanic	Asian	Black	White	Other
1. Persons voting unchallenged (See Chart A, page 23)	272		31	21	30	190	
2. Persons voting challenged, affidavit, or provisional ballot (See Chart D, page 31)	0		0	0	0		
3. Persons not permitted to vote or turned away for ANY reason (See Chart B, page 26)	1	0	0	1	0	0	
TOTAL of 1, 2, and 3	273		31	22	30	190	

B. Number of Persons Receiving Any Language Assistance. Specify Language or Dialect Below Language Heading (e.g., Navajo, Towa, Vietnamese, Mandarin, Cantonese, etc.) (See Chart A1, page 24)	Total	Indian	Spanish	Asian	Other English?
	2 (THP)	X	2	0	X (THP)
Section 1B is Not Applicable to this Coverage <input type="checkbox"/>					

C. Number of Persons Receiving Any Language Assistance from: (See Chart A1, page 24)	Total	Election Officials	Official Interpreters	Other
	3	1	2	0
Section 1C is Not Applicable to this Coverage <input type="checkbox"/>				

D. Number of Persons Receiving Any Assistance OTHER than Language Assistance (See Chart A2, page 25)	Total	Indian	Hispanic	Asian	Black	White	Other
Section 1D is Not Applicable to this Coverage <input checked="" type="checkbox"/>							

E. Absentee Ballots	Total
1. Unchallenged	
2. Challenged	
Section 1E is Not Applicable to this Coverage <input type="checkbox"/>	

Initials:
 THP

F. If <i>paper ballots</i> are used:	Total
1. Ballots accepted	
2. Ballots partially rejected	
3. Ballots totally rejected	
4. Spoiled ballots	
5. Unused ballots	
Total of 1, 2, 3, 4, and 5	
Section 1F is Not Applicable to this Election <input type="checkbox"/>	

G. If <i>voting machines</i> are used:					
1. List the serial numbers of the machines and record the protective counter number for each machine at the opening of the polls and when the polls close, or when the Observer team departs from the polls.					
Machine	Protective Counter at Poll Opening	Protective Counter at Poll Closing	Machine	Protective Counter at Poll Opening	Protective Counter at Poll Closing
Section 1G (including Question 2 below) is Not Applicable to this Election <input type="checkbox"/>					

2. Did the seal numbers on each machine match the number of the seal on the envelope containing the keys to the machine? ☐ Yes ☐ No
- If not, record the discrepancy and note the actions, if any, that the election officials took in response to the discrepancy.

H. If <i>electronic vote recorders or tabulators</i> are used:					
Give machine and seal numbers here.					
Machine	Seal	Machine	Seal	Machine	Seal
Section 1H is Not Applicable to this Election <input type="checkbox"/>					

Initials:

THP

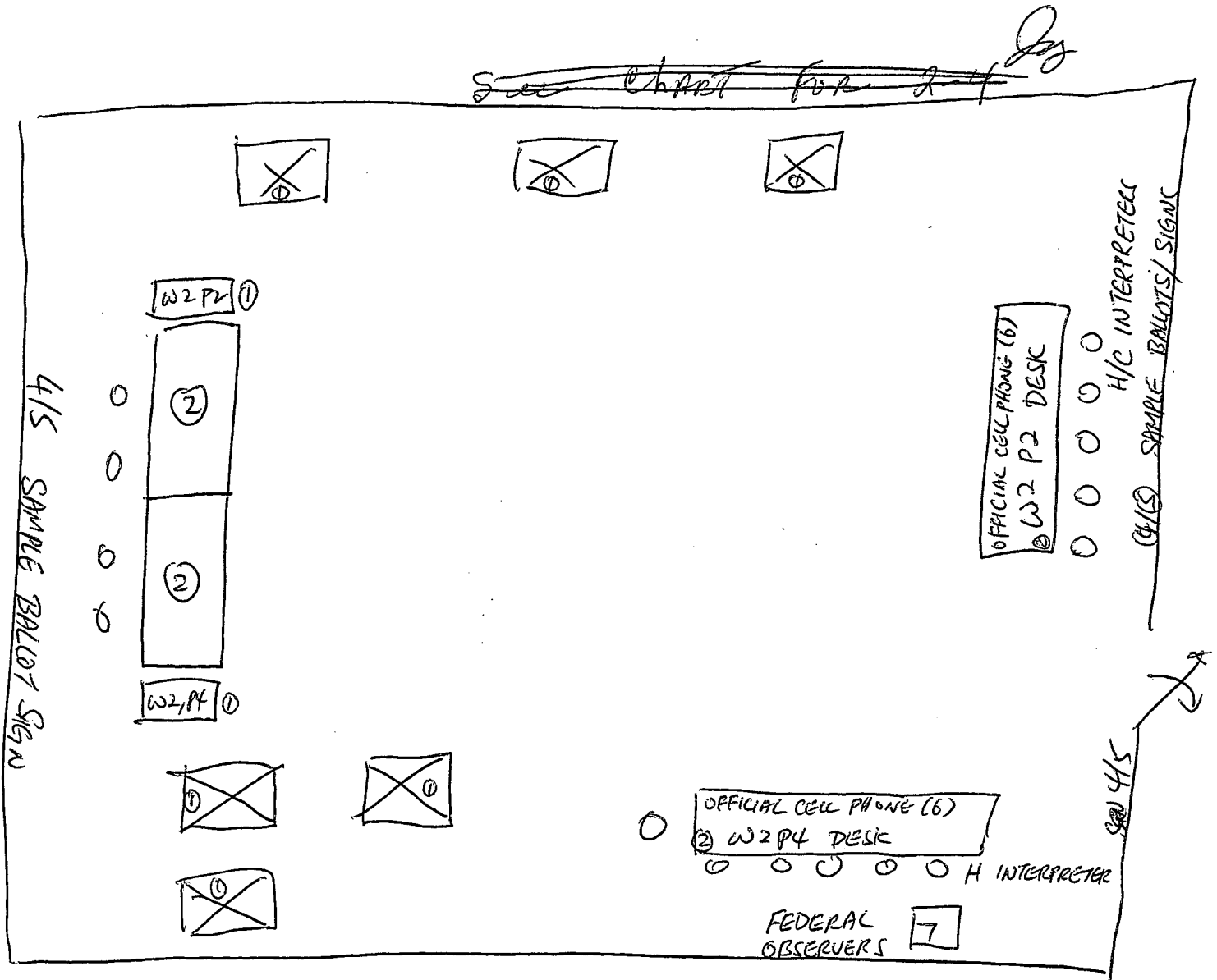
2. DESCRIPTION OF POLLING PLACE

☐ Not applicable to this coverage

A. Draw a diagram of the polling place which shows the following items:

W2, P2

1. Location of voting machines or booths
2. Location of tables for election officials
3. Location of any officially-designated interpreters
4. Location of voting instruction signs or cards
5. Location of sample ballots, if any
6. Location of telephone, if any
7. Location of Federal observers



Initials:

THP

B.1. Information found on common election-related signs observed in and around the polling place (This information may be found on one or more posters; determine if any sign, whether individually or in combination with others, covers these items):

Signs observed: WD/AD/ED, if applicable: WD 2-2	Was sign posted?	Where was sign posted?	Was sign easily visible to voters?	In what language(s) was sign printed?	Was sign interpreted ORALLY in minority language for any voters?
a. Setting campaigning limits?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	front door and wall	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	chinese spanish English Vietnamese	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Directing voters to the polling place (e.g., "vote here")?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	FRONT DOOR AND WALL	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	E, H, C, U	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Stating assistance is available to voters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	FRONT DESK	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Indicating Election date?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Indicating Election hours?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WALL AND DOOR	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
f. Sample ballot?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WALL	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	E, C,	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Instructions for casting a regular ballot?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WALL	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	E, H, C, U	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Instructions for casting a provisional ballot?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WALL	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	E, H, C, U	<input type="checkbox"/> Yes <input type="checkbox"/> No
i. Instructions for mail registrants and first time voters?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
j. Information on who to contact if voters have problems?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
k. General voting rights information?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WALL	<input type="checkbox"/> Yes <input type="checkbox"/> No	E, H, C, U	<input type="checkbox"/> Yes <input type="checkbox"/> No
l. Right to cast a provisional ballot?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
m. Laws on voting fraud and misrepresentation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WALL	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	E, H, C, U	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. If you observed any other election-related signs or posters in and around the polling place, not covered above, please describe briefly:

Initials:

JP
G
THP

C. Phones

1. Was a land line (telephone other than a mobile phone) available for use by the election officials in the polling place? ☐ Yes ☒ No

If so, indicate the type of telephone (e.g., private line, pay phone, etc.):

Provide the telephone number: _____

If election officials used the above telephone at any time to contact county or state election officials, indicate under what circumstances.

2. If any other phone (e.g., mobile phone, radio remote, etc.) was used by election officials, indicate the type of telephone used OFFICIAL CELL PHONE and under what circumstances the officials used this phone.

THE OFFICIAL USED THE CELL PHONE TO CALL CITY HALL FOR UNLISTED VOTERS AND MULTIPLE NAME APPEAR ON THE LIST. DID NOT CALL FOR LANGUAGE INTERPRETION. ALL THERE ARE NOT OBSERVED.

3. ELECTION OFFICIALS

A. List each polling official on duty. *Do NOT include special interpreters.*

WD/AD/ED, if applicable: *W2-2*

Polling Official	Race or Ethnicity	Title and/or Function	Language(s)/Dialect(s) Spoken
EDNA WALRATH	W	WARDEN	English
Phyllis SENNA	W	CLERK	English
John William Bingham	W	INSPECTOR	English
Molly DEAN	W	INSPECTOR	English
SHEENA RAJJI	W	Eng/INSPECTOR or VARSITY	Eng./VARSITY/TURKISH
DEVIN VELASQUEZ	H	INSPECTOR	Eng/Spanish
Lo, PEI-Ning	A	INTERPRETER	Chinese/Eng.

Initials:

EJP

THP

Note times each polling official was absent from the polls: WD/AD/ED, if applicable: W2-2

Polling Official	Out	In	Out	In	Out	In	Out	In
EDNA WALRATH								
Phyllis Senna								
John William Bingham								
Molly Dean								
Sheena Rajji								
DEVIN VELASQUEZ								
Lo, PEI-Ning								

OBSERVER DID NOT
See OFFICIALS TAKING
Break

- B. If any of the poll officials identified above also provided interpretation assistance to voters (i.e., assistance in a minority language on election related procedures such as how to cast the ballot or an interpretation of the contents of the ballot, identify below.

If "none", check here: ☒

WD/AD/ED, if applicable: _____

Polling Official	Title	Type of Assistance Provided

- C. Did any poll official(s) have a leadership role (e.g., in terms of resolving questions or disputes)?

☒ Yes☐ NoIf so, who? EDNA WALRATH, WARDEN

Did any poll official(s) fail to take an active part in terms of resolving questions or disputes?

☐ Yes☒ No

If so, who? _____

Initials:

THP

D. MASTER BOARD WORKER NOTES

☐ Not applicable to this coverage

1. Complete this chart by interviewing each WD/AD/ED Master Board Worker.

WD/AD/ED	How were your Wards assigned?	If you have transportation, describe	Do you have a cell phone?

2. Complete this chart by interviewing each WD/AD/ED Board Worker, **other than the Master Board Worker**.

WD/AD/ED	Board Worker's Name	Describe what a MBW is and what a MBW does	If known, give name of your MBW	Do you have the phone number of your assigned MBW?

3. Observations of MBW activities -- If applicable, detail what the MBW does on site within or outside of the polling site:

Initials: *JP**Ch**THP*

Wd-2-2

E. **Interpreters are persons assigned specifically to provide language assistance to voters who speak a language other than English.**

1. Were there interpreters assigned to this polling place? ☒ Yes ☐ No

If "no", skip the remaining questions on this page and proceed to Section 4.

2. List each interpreter on duty. Include the time each interpreter arrived at the polls. For any interpreter who was assigned as an alternate, check the box marked "Alternate".

WD/AD/ED, if applicable:

Interpreter	Race/Ethnicity	Language(s) Spoken	Arrival Time	Alternate
Lo, PEI-NING	W C AP	Chinese		

Note times each interpreter was absent from the polls:

WD/AD/ED, if applicable: Wd-2-2

Interpreter	Out	In	Out	In	Out	In	Out	In
Lo, PEI-NING PJ								

3. If any interpreter also performed other duties, identify the interpreter below and describe the duties performed. If "none", check here: ☒

WD/AD/ED, if applicable:

Interpreter	Duties Performed

Initials:
 SP
 En

THP

4. VOTING PROCEDURES

A. Prior to Opening the Polls:

WD/AD/ED, if applicable: W2, P2

1. What time did the election officials arrive at the polling place? 6:00 AM
Indicate how this information was obtained:

☐ Observation ☒ Questioning election officials

2. Were the election officials given an oath of office? ☐ Yes ☐ No

If so, by whom? _____
Indicate how this information was obtained:

☐ Observation ☒ Questioning election officials

3. List the items such as envelopes, forms, notices, cards, sample ballots, challenged/affidavit/provisional ballots, etc. that were provided to the polling site. **Do not include signs identified on page 5.** Identify any items printed in a language other than English and specify the additional language(s).

NOT OBSERVED

4. If observed, describe any other activities regarding the preparation of the polling place prior to the opening of the polls.

NOT OBSERVED

Initials:

[Handwritten initials]

TTP

B. Poll Watchers

WD/AD/ED, if applicable: W2-2

1. Were any poll watchers present? ☐ Yes ☒ No
2. If so, obtain the following information. *If not, skip the remaining questions and proceed to part C below.*

Poll Watcher	Race/Ethnicity	Candidate or Party Representing
EDWARD KATZ	W	DEVAL PATRICK (DEM)

3. Did the election officials require the poll watchers to present any type of authorization?
☐ Yes ☒ No If so, what? _____

If the election officials imposed any limitation on the activities of the poll watchers throughout the day, explain the limitations.

*The poll monitor arrived at 7:50 pm
to count the votes. NOT observed
nor asked.*

4. Were poll watchers permitted to observe all aspects of the voting process, other than the actual marking of the ballots? ☐ Yes ☐ No
 Explain any activities poll watchers were not permitted to observe.

C. While the Polls Were Open

WD/AD/ED, if applicable: _____

1. What time did the polls open? _____
 Indicate how this information was obtained:
☐ Observation ☐ Questioning election officials
2. Were the names of the absentee voters marked on the poll list? ☐ Yes ☐ No
3. Were the absentee ballots delivered to the polls? ☐ Yes ☐ No
 If so, by whom? _____
If "no", proceed to question 5 of this section.
4. Were the absentee ballots counted at the polls?
☐ Yes ☐ No ☐ Not Observed

Initials:

JP
GP
THP

5. What voting system(s) for regular ballots was used in the polling place?

a. Direct recording electronic machines (DRE)? ☐ Yes ☒ No

If yes, was the machine set to zero before voting began?

☐ Yes ☐ No ☐ Not ObservedWas there an activator card (a device that the voter inserts into the machine to begin voting) given to the voter? ☐ Yes ☐ No

If yes, who programmed the activator card? _____

b. Lever machines? ☐ Yes ☐ No

If yes, were the keys delivered in a sealed envelope on the outside of which was written the machine number and the protective counter number?

☐ Yes ☐ No ☐ Not Observed

Did the public counter register zero before voting began?

☐ Yes ☐ No ☐ Not Observed

If not, what number did the counter show? _____

Was the machine locked before voting began?

☐ Yes ☐ No ☐ Not Observedc. Punch cards? ☐ Yes ☐ No

If yes, where were voted ballots deposited by the voter?

☐ Ballot box☐ Scanner☐ Poll Official☐ Other (explain)

If there was a scanner:

Did it reject any ballots voters inserted? ☐ Yes ☐ No ☐ Not ObservedWas it set to zero before voting began? ☐ Yes ☐ No ☐ Not Observed

Were privacy sleeves used to keep ballot choices secret?

☐ Yes ☐ No ☐ Not Observed

Initials:

d. Optical scan cards ? ☐ Yes ☐ No

If yes, where were voted ballots deposited by the voter?

☐ Ballot box

☐ Scanner

☐ Poll Official

☐ Other (explain)

If there was a scanner:

Did it reject any ballots voters inserted? ☐ Yes ☐ No ☐ Not Observed

Was it set to zero before voting began? ☐ Yes ☐ No ☐ Not Observed

Were privacy sleeves used to keep the ballot choices secret?

☐ Yes ☐ No ☐ Not Observed

e. Paper ballots? ☐ Yes ☐ No

If yes, was the ballot box emptied? ☐ Yes ☐ No

Were the blank ballots counted/numbered?

☐ Yes ☐ No ☐ Not Observed

How many ballots were provided to the polling place? _____

Was the ballot box locked prior to the start of voting?

☐ Yes ☐ No ☐ Not Observed

Where were voted ballots deposited by the voter?

☐ Ballot box

☐ Scanner

☐ Poll Official

☐ Other (explain)

Initials:

TTP

6. If **DRE** or lever **voting machines** were used:

☒ Not applicable to this election

a. Did the voter receive any form from the poll official

indicating he/she was permitted to vote?

☐ Yes ☐ No

If so, from whom? _____

b. Was there any time limitation imposed on voters?

☐ Yes ☐ No

If so, how long? _____

c. Did any voter attempt to use a marked sample ballot?

☐ Yes ☐ No

If so, was the voter allowed to do so?

☐ Yes ☐ No

If not, who prevented its usage? _____

7. If **paper ballots, punch cards, or optical scan cards** were used:

☐ Not applicable to this election

a. From whom did the voter receive the ballot? INSPECTOR

b. Where did the voter go to mark the ballot? VOTING BOOTH

c. Was any time limitation imposed on voters?

☐ Yes ☒ No

If so, how long? _____

d. Did any voter attempt to use a marked sample ballot?

☐ Yes ☒ No

If so, was the voter allowed to do so?

☐ Yes ☐ No

If not, who prevented its usage? _____

e. Was another ballot made available to a voter if the voter spoiled his/her first ballot?

NOT OBSERVED

☐ Yes ☐ No

D. Determining a Person's Eligibility to Vote

Each individual not permitted to vote is to be identified in Chart B "Persons Not Permitted to Vote" (page 26). At the end of the day, use Chart B to generalize a response to the following questions:

1. Describe generally what registration book(s) or list(s) were consulted at the entrance to the polling place or at the check-in table to determine the voter's registration status.

The REGISTRATION book was checked for the VOTERS name and address.

Initials:

SP
GP
JHP

2. If a person's name was not found in the registration book(s) or list(s), did poll officials attempt to contact county election officials to verify or determine the voter's registration status? ☒ Yes ☐ No Explain. ^① If a person moved to another place, poll officials called City Hall to verify the status of that person. (The official told the observer).

3. If a person was registered in another precinct, what instruction, if any, was the voter given? Return to the precinct where the (voted) (last registered) (The observer heard the poll officer talked to the voter).

4. If a person was told he or she was not registered to vote, what, if anything, was the voter told to do? The person would fill out the register form for voting next time. (observed)

5. Were any officials available at or near the polling place to register persons to vote?

☒ Yes ☐ No

If so, provide the following information:

Name	Title	Location
Ednam Walrath	Warden	Kent School WD 2-2
Sheena Rajji	inspector	Kent School, WD 2-2
William Bingham	inspector	Kent School, WD 2-2

Did poll officials refer all persons who were not permitted to vote because they were not on the registered voter list to the official(s) identified above to register for future

elections?

☒ Yes

☐ No

Explain. The Warden

gave a registration form to the voter. After completed the form, the voter gave it back to the Warden.

6. Describe any other actions, not included above, that were taken to determine a voter's registration status.

not observed

Initials:

SP

THP

E. Use of Minority Language(s) at Polling Site and
Minority Language Assistance from Poll Officials
and Interpreters

☐ Not applicable to this coverage

1. If a minority language (one other than English) was spoken by polling officials/interpreters for general greetings or general conversation with voters, but no conversation regarding the specific election process took place in the minority language, indicate the general activity and conversation that took place, including the language(s) used, as the voter entered the polling site and throughout the time the voter was present in the polling place.

DID NOT OBSERVE

Language assistance is any conversation in the minority language concerning the election process (e.g., how to use the machine, translation of ballot, etc.) Individual accounts of language assistance are to be provided in Charts C1, C2, C3, and C4 (pages 27-30). At the end of the day, answer the following general questions about language assistance:

2. General

- a. How was it determined who received minority language assistance (e.g., was each minority voter automatically given such assistance, or was help given only at the request of the voter, or did officials offer this help to only certain minority voters)?

The officials offered help to the voters that walked in with their I.D in their hand.

- b. Were there any minority voters who were unable to sign their names?

☐ Yes ☒ No

If so, were they offered assistance in the minority language in casting their ballots?

☐ Yes ☐ No If not, explain.

Initials:

ESP

THP

- c. Did any voter who requested minority language assistance fail to receive such assistance? ☐ Yes ☒ No If so, explain the circumstances.

3. a. Did any poll official or interpreters provide instruction *in a minority language* on how to cast the ballot (e.g., how to use the machine, how to mark or punch the ballot, how to cast a write-in vote, how to vote by party if straight-ticket voting is allowed, how many votes may be cast for a given office, etc.)? ☒ Yes ☐ No

If so, prepare one C4 Chart (page 30) for each official who gave such instructions and one C1 Chart (page 27) for each voter assisted by that official during the time the Observer is recording the interpretation of the instructions. Observe as many instances of assistance by that official as necessary to accurately and completely record in English the instructions given in the minority language. Enclose in quotation marks ("words") all words, if any, spoken in English by the official. Include in the "Explanation" part of the C1 Chart any additional information. As an example, if the instructions given by the official varied during the day, describe when it varied and how it varied for that official.

- b. Where was the instruction given?

- ☒ Inside the booth (or while voter is voting)
☐ Outside the booth (or before the voter began to vote)

If *outside* the booth, specify where: _____

If instruction was given in the minority language on how to cast a ballot and was done so *outside* of the voting booth (or before the voter began to vote), generally how much time elapsed between the completion of the instruction and the time the voter entered the booth (or began to vote)? _____

4. a. Was an interpretation of the ballot provided in the minority language to voters?
☐ Yes ☐ No

If so, prepare one C2 Chart (page 28) and/or C3 Chart (page 29), as appropriate, for each official who gave such interpretation and one C1 Chart (page 27) for each voter assisted by that official during the time the Observer is recording the interpretation of the ballot. Observe as many instances of assistance by that official as necessary to accurately and completely record in English the interpretation given in the minority language (typically, at least 5 instances, if possible). Enclose in quotation marks ("words") all words, if any, spoken in English by the official. Include in the "Explanation" part of the C1 Chart any additional information. As an example, if the interpretation given by the official varied during the day, describe when it varied and how it varied for that official.

Initials:

JP

THP

~~b. Where was the interpretation given?~~

- ~~☐ Inside the booth (or while voter is voting)~~
- ~~☐ Outside the booth (or before the voter began to vote)~~

~~If outside the booth, specify where: _____~~

~~If interpretation of the ballot was given in the minority language outside of the voting booth (or before the voter began to vote), generally how much time elapsed between the completion of the interpretation and the time the voter entered the booth (or began to vote)? _____~~

F. Delays in Voting

1. What was the average number of voters waiting in line to vote during the day? 30
2. What was the average length of time voters had to wait to vote? 20'
3. Was there any time during the day when voters had to wait more than 15 minutes to vote?

☒ Yes ☐ No If so, provide the following information:

 - a. The time the line formed 5:45 pm and the number of voters in line 20
 - b. What voters were waiting for (e.g., to sign in, to receive help from an interpreter, to enter a voting booth, etc.): voters were waiting to get checked in by the 1st official (clerk)
 - c. What action, if any, did poll officials take to alleviate the delay?

None

G. Challenged, Affidavit, or Provisional Ballots

☐ Not applicable to this coverage

Voters casting such ballots are to be identified in Chart D "Voters Casting Challenged, Affidavit, or Provisional Ballots", (page 31). At the end of the day, those accounts are to be generalized in response to the following questions:

1. Were challenged, affidavit, or other provisional-type ballots used?

☐ Yes ☒ No ☐ Not Observed

Initials: [Signature]

THP

On what basis did the poll worker give the provisional ballot(s)?

NOT OBSERVED / NOT ASKED

What language(s) were the ballots in? _____

2. What voting system is used for provisional ballots?

☐ DRE? ☐ Lever? ☒ Optical Scan Card? ☐ Punch Card? ☐ Paper Ballot?

3. Is there an affirmation form/envelope that the voter must complete? ☐ Yes ☐ No

What languages were the form/envelope in? _____

4. According to poll workers, under what circumstances are these provisional ballots used?

NOT OBSERVED / NOT ASKED

5. Did the poll worker provide written information to the provisional voter?

☐ Yes ☐ No

In what language(s)? _____

What did the document say? _____

6. Did the document include information on how a voter can determine if his or her provisional ballot has been counted? ☐ Yes ☐ No

7. Were these provisional ballots kept separate from other ballots?

☐ Yes ☐ No ☒ Not Observed

8. Were these provisional ballots counted at the polls?

☐ Yes ☐ No ☒ Not Observed

Initials:

GP

THP

H. Identification (ID) Requirements

To obtain some of the following information, Observers will have to ask questions of one or more polling officials. The information should be obtained only during times when doing so would not interrupt or interfere with the voting or assistance process.

1. Under what circumstances, if any, do the poll workers say that they will ask a voter for ID?

NOT OBSERVED
2. Did the poll workers receive training about first-time voters who register by mail who are covered by ID requirements? ☐ Yes ☒ No
If so, what were they taught in that training?
3. Are voters who need to present ID "flagged" on the poll book or in some other manner?
☐ Yes ☐ No If so, describe.

NOT OBSERVED
4. Did you observe any voters being asked for identification? ☐ Yes ☒ No
On what grounds were they asked?

What form(s) of ID were the poll workers willing to accept?

If first-time voters who registered by mail did not have required ID, were they allowed to vote by provisional ballot? ☐ Yes ☐ No
Please describe what occurred.

NOT OBSERVED

I. Training of Interpreters or Bilingual Poll Officials

☐ Not applicable to this coverage

The following information regarding the county's training of interpreters/officials should be obtained from the interpreters or polling officials sometime before the observers leave the polling place. The information should be obtained only during times when doing so would not interrupt or interfere with the voting or assistance process.

Initials:

ESP
EG

THP

Wd 2-2

1. Did any of the interpreters (including any bilingual poll officials who interpreted the ballot for voters or provided procedural instructions in the minority language) receive training from the county on how to translate the contents of the ballot or how to provide procedural instructions in the minority language? ☐ Yes ☒ No

Did they receive notice that such a training session was scheduled? ☐ Yes ☐ No
Explain.

If no such training was received/attended, skip the remaining questions in this section and go to Section 5, "General".

2. For each interpreter (or bilingual poll official who provided ballot interpretation or procedural instruction in the minority language), indicate in the chart below whether they received training ***specifically on how to translate the ballot or how to provide procedural instructions in the minority language***, and identify when and where this training session was held (indicate if he/she attended more than one session), approximately how long each session lasted, and who conducted the training. ***Do NOT include training for anything other than translation of the ballot or other procedural instructions given in the minority language.***

Interpreter/Official	Trained (Yes or No)	When	Where	Length of Training	Who Conducted Training
LO, PEI-NING	YES	11/4/06	City Hall	2 HRS.	MARTY
DEVIN VELASQUEZ	NO	11/08	City Hall	2 HRS.	NANCY

3. Was part or all of the training conducted in the minority language? ☐ Yes ☐ No
4. Did the county use any audio-visual aid(s) (e.g., audio tape, video tape, flip chart) during the training session(s)? ☐ Yes ☐ No If so, specify: _____
5. Did the county provide a copy of any audio-visual aid(s) to each of the interpreters?
☐ Yes ☐ No

If so, did each of the interpreters use the audio-visual aid(s) after the training session?

☐ Yes ☐ No

Did they find the audio-visual aid(s) helpful? ☐ Yes ☐ No

Describe any comments about the audio-visual aid(s).

Initials:

DP
THP

There were 70-80 people waiting in line for Wd. 2-2 for several hours. The voters appeared calm; however the voting officials from Wd 2-2 were complaining.

Two officials walked up to ~~me~~^{OBSERVER} and at separate times & commented to me "That they had ~~never~~^{DP} seen so

many people waiting before.

The officials said "That the clerk should have her position changed because she was slow & conversating with some voters.

Initials:

DP
GJ

THP

- ☐ None Observed
☐ Not applicable to this coverage

CHART A – VOTING TALLY SHEETWD/AD/ED, if applicable: WD 2-2

PERSONS PERMITTED TO VOTE							
Time ¹	Race or Ethnicity	Number of Voters	Totals				
3:15 to 4PM	W		16				
	B			4			
	A				2		
	H					4	
4PM to 5PM	W		31				
	B			13			
	A				4		
	H					6	
5PM TO 6PM	W		58				
	B			7			
	A				9		
	H					11	
6PM TO 7PM	W		61				
	B			3			
	A				3		
	H					7	
Subtotal			166	27	18	28	
Grand Total (if last page of tally sheet)							

¹ Note hour intervals (e.g., 6 a.m. - 7 a.m., 7 a.m. - 8 a.m.)Initials:
JHP

- ☐ None Observed
☐ Not applicable to this coverage

CHART A – VOTING TALLY SHEETWD/AD/ED, if applicable: W2, P2

PERSONS PERMITTED TO VOTE						
Time¹	Race or Ethnicity	Number of Voters	Totals			
7 PM To 7:50 PM	W	HHH ^{THP} THP	5			
	B			0		
	A	11			2	
	H	1				1
7:25 PM To 8:00 PM	W	HHH HHH HHH 1111	19			
	B	111		3		
	A	1			1	
	H	11				2
Subtotal			24	3	3	3
Grand Total (if last page of tally sheet)			100	30	21	31

¹ Note hour intervals (e.g., 6 a.m. - 7 a.m., 7 a.m. - 8 a.m.)

Initials:

[Signature]
THP

(THP)

- ☐ None Observed
☐ Not applicable to this coverage

CHART A1 – LANGUAGE ASSISTANCE TALLY SHEETWD/AD/ED, if applicable: *Wd 2-2*

Time¹	Interpreter, Official, or Other Providing Assistance	Voters Receiving Language Assistance						Total Language Assistance
		Number of Voters						
		Indian	Hisp.	Asian	Black	White	Other	
3:15pm to 5:								
	DEVIN VELASQUEZ		1					1
	Family/Friend							
5pm to 6pm								
	DEVIN VELASQUEZ		1					1
	Family/Friend							
	Family/Friend							
	Family/Friend							
Subtotal								2
Grand Total (if last page of tally sheet)								

¹ Note hour intervals (e.g., 6 a.m.- 7 a.m., 7 a.m.- 8 a.m.)

Initials:

DP
GP
JHP

WD/AD/ED, if applicable:

Time	Interpreter, Official, or Other Providing Assistance	Voters Receiving Non-Language Assistance						Total Non-Language Assistance
		Number of Voters						
		Indian	Hisp.	Asian	Black	White	Other	
	Family/Friend							
	Family/Friend							
	Family/Friend							
	Family/Friend							
		Subtotal						
		Grand Total (if last page of tally sheet)						

¹ Note hour intervals (e.g., 6 a.m.- 7 a.m., 7 a.m.- 8 a.m.)

Initials:

Initials: *ST*
G
THP

☐ None Observed
☐ Not applicable to this coverage

poll 2-2

CHART B – PERSONS NOT PERMITTED TO VOTE

WD/AD/ED, if applicable:

WD 2-2

Name [REDACTED]	Race A	Time 6:25	Name	Race	Time
Address not willing to release			Address		
Federal Certificate of Eligibility Number, if any			Federal Certificate of Eligibility Number, if any		
Language Spoken (if other than English) chinese			Language Spoken (if other than English)		
Name/Title of Official Not Permitting Vote warden EDnam Walrath		Race W	Name/Title of Official Not Permitting Vote		Race
Reason for Not Permitting Vote The voter was not registered			Reason for Not Permitting Vote		
Specify what the official did or suggested that the voter do in order to vote. The warden gave the voter a form to register for next time.			Specify what the official did or suggested that the voter do in order to vote.		
Reason Voter Believes He/She Should Be Permitted to Vote Not given the reason			Reason Voter Believes He/She Should Be Permitted to Vote		
Information obtained from: <input checked="" type="checkbox"/> Observation <input checked="" type="checkbox"/> Questioning Voter			Information obtained from: <input type="checkbox"/> Observation <input type="checkbox"/> Questioning Voter		

Initials:

CPD

THP

☐ None Observed
☐ Not applicable to this coverage

CHART C1 – VOTERS NEEDING ASSISTANCE (CHECKLIST)WD/AD/ED, if applicable: WD 2-2

Voter: Unknown Race: B Begin Time: 3:45 End Time: 3:55

Interpreter or
 Election Official: William Bingham Observer: Diane Peoples

Assistance Occurred: ☒ Inside the booth (or while voter is voting)

☐ Outside the booth (or before voter begins voting)

Reason Voter Needed Assistance, (if other than language): _____

Did the election official providing assistance perform any of the actions listed in the table below for the voter?

NOTE: If the answer is not 100% "YES", mark "NO"

Action: Place a checkmark (✓) in the appropriate block for each action, and indicate if minority language was used during that action.	Yes	No	N/A	In Minority Language
Ask if assistance was needed	✓			
Ask voter for choice of assistor	✓			
Permit the voter's choice of assistor	✓			
Name each candidate on the ballot	✓			
Name the political parties for each candidate on the ballot	✓			
Name each office on the ballot	✓			
Explain each proposition on the ballot	✓			
Explain when the voter can vote for more than one candidate for an office	✓			
Allow the voter to mark the ballot	✓			
Mark the ballot contrary to the voter's wishes		✓		
Attempt to rush the voter through the ballot		✓		
Explain write-in procedures			✓	

Explanation: Voter (M/B) asked for assistance because he could not see the ballot.

Initials: THP

27 A

☐ None Observed
☐ Not applicable to this coverage

CHART C1 – VOTERS NEEDING ASSISTANCE (CHECKLIST)WD/AD/ED, if applicable: W2-2

Voter: UNKNOWN Race: H Begin Time: 5:45 pm End Time: 5:46 pm

Interpreter or
 Election Official: DEVIN VALESQUEZ Observer: Diane Peoples

Assistance Occurred: ☐ Inside the booth (or while voter is voting)
☒ Outside the booth (or before voter begins voting)

Reason Voter Needed Assistance, (if other than language): _____

Did the election official providing assistance perform any of the actions listed in the table below for the voter?

NOTE: If the answer is not 100% "YES", mark "NO"

Action: Place a checkmark (✓) in the appropriate block for each action, and indicate if minority language was used during that action.	Yes	No	N/A	In Minority Language
Ask if assistance was needed			✓	
Ask voter for choice of assistor			✓	
Permit the voter's choice of assistor			✓	
Name each candidate on the ballot			✓	
Name the political parties for each candidate on the ballot			✓	
Name each office on the ballot			✓	
Explain each proposition on the ballot			✓	
Explain when the voter can vote for more than one candidate for an office			✓	
Allow the voter to mark the ballot			✓	
Mark the ballot contrary to the voter's wishes			✓	
Attempt to rush the voter through the ballot			✓	
Explain write-in procedures			✓	

Explanation: The Election official w/m DID NOT UNDERSTAND the voter (H/F) when she gave her address. The Interpreter was asked to clarify the address, so the Interpreter w/m asked the voter in Spanish for her address.

Initials:

THP
 SP

27 B

- ☐ None Observed
☐ Not applicable to this coverage

CHART C2 – ASSISTANCE IN A MINORITY LANGUAGE (OFFICES)

Interpreter/Official: DEVIN VELASQUEZ WD/AD/ED, if applicable: WD 2-Z
Observer: Diane Peoples

Office	Translation (Include words spoken in English in quotation marks)
	The TRANSLATOR "named each office" on the ballot

Initials:

GP
TTP

CHART E – PROCEDURES AFTER THE POLLS CLOSE

WD/AD/ED, if applicable: Wd 2-2

1. What time did the polls close? 8pm

☐ Not applicable to this coverage

2. Were there any persons in line to vote when the polls closed?

☒ Yes ☐ No

If so, how many? 16

3. Were all persons who were in line when the polls closed permitted to vote?

☒ Yes ☐ No

If not, who would not permit them to vote and what reason(s), if any, was given?

The following questions (on pages 32 – 41) concern the counting of ballots. If no Observer was present for the counting, check the box below, ignore the remainder of Chart E, and go to Chart F on page 42.

☐ The Observer Team was not present for any procedures related to the counting of ballots.

4. If *paper ballots* were used and counted at the polls:

a. Were additional workers used to assist in the count? ☐ Yes ☐ No

☐ Not applicable to this election

If so, were these persons administered an oath? ☐ Yes ☐ No

b. Was the table cleared before the ballot box was emptied? ☐ Yes ☐ No

c. Who removed the ballots? _____

d. Were the ballots opened and stacked? ☐ Yes ☐ No

If so, by whom? _____

e. Who read the ballots? _____

f. Did anyone hand the ballots to the reader? ☐ Yes ☐ No

If so, who? _____

g. Was each ballot read as marked? ☐ Yes ☐ No

If not, how many were not properly read? _____

How were they misread?

Initials:

SG
THP

h. What was done with the ballots after they were read?

i. How many paper ballots were totally rejected? _____ Give reasons below:


Reason for Rejection	Candidates Voted For

Initials: 
THP

j. How many paper ballots were partially rejected? _____ Provide complete information below:

[illegible]

Initials:

initials: 

THP

k. Tallying of Ballots

1. Names of officials who kept each tally (it may be that only one tally sheet is kept).

If more than one person kept the single tally sheet, note the period of time each person worked.

Tally Sheet #1		Tally Sheet #2	
Name	From - To	Name	From - To
a.		a.	
b.		b.	
c.		c.	

1. Were the poll watchers and all other interested persons allowed the opportunity to view the counting process? ☐ Yes ☐ No If not, explain.

m. List the items placed in the ballot box.

n. List the items not placed in the ballot box and indicate where they were placed.

o. What time did the ballot box leave the polling place? _____

Who took it? _____

Was it locked? ☐ Yes ☐ No Was it sealed? ☐ Yes ☐ No

p. What time did the Observer Team leave the polling place? _____ Did an

Observer accompany the ballot box? ☐ Yes ☐ No5. If *DRE* or lever *voting machines* were used:☐ Not applicable to this election

a. Were the machines locked and sealed against

further voting? ☒ Yes ☐ No

If so, by whom? _____

b. Who read the count from the machine? _____

Initials:

c. Was the count verified by another official? ☐ Yes ☐ No If so, by whom? _____

d. Was it read correctly? ☐ Yes ☐ No

e. Who recorded the vote on the official return sheets? _____

f. Was the vote recorded accurately? ☐ Yes ☐ No

g. List the serial numbers of the machines and record the public counter of each machine at the end of voting.

Machine	Public Counter	Machine	Public Counter	Machine	Public Counter

h. Was the vote announced by the poll officials? ☐ Yes ☐ No

i. Were the poll watchers provided an opportunity to compare the announced results with the figure on the counter? ☐ Yes ☐ No

j. Were the absentee votes counted and tabulated with the votes shown on the machines?

☐ Yes ☐ No

k. Was the statement of results signed and certified by the poll officials?

☐ Yes ☐ No

l. Was the statement delivered to the election officials? ☐ Yes ☐ No

By whom? _____

m. As soon as the count was completed and the results announced, was the counter compartment locked? ☐ Yes ☐ No By whom? _____

n. Describe what was done with the election supplies such as poll lists, challenged ballots, etc.

o. What time did the Observer Team leave the polling place? _____

Initials:

GAOP

THP

6. If **punch cards or optical scan cards** were used:

- a. Was a duplicate report of the number of persons voting prepared? ☐ Yes ☐ No

☐ Not applicable to this election

By whom? _____

- b. What was done with the election supplies such as ballot stubs, etc.?

- c. Was the ballot box sealed? ☐ Yes ☐ No By whom? _____

- d. If appropriate, who took the ballot box to the counting center? _____

Did an observer accompany the ballot box? ☐ Yes ☐ No

- e. What time did the Observer Team leave the polling place? _____

7. Absentee Ballots

- a. Were the absentee ballots opened and stacked?

☐ Yes ☐ No

By whom? _____

☐ Not applicable to this election

- b. Who read the absentee ballots? _____

- c. Did anyone hand the ballots to the reader? ☐ Yes ☐ No

If so, who? _____

- d. Was each ballot read as marked? ☐ Yes ☐ No If not, how many were not properly read? _____ How were they misread? _____

- e. What was done with the ballots after they were read?

Initials:

ST
THP

f. How many absentee ballots were totally rejected? _____ Give reasons below:

Reason for Rejection	Candidates Voted For

g. How many absentee ballots were partially rejected? _____ Provide complete information below:

Office Voted For	Reason for Rejection			
	More Names Marked than Persons to be Elected (Double Vote)	Fewer Names Marked than Persons to be Elected	No Clear Choice	Other (Specify)

Initials:

THP

8. Challenged, Affidavit, or Provisional Ballots

a. Were the challenged/affidavit/provisional ballots opened and stacked?

☐ Yes ☐ No By whom?

☐ Not applicable to this election

b. Who read the ballots? _____

c. Did anyone hand the ballots to the reader? ☐ Yes ☐ No

If so, who? _____

d. Was each ballot read as marked? ☐ Yes ☐ No If not, how many were not properly read? _____ How were they misread?

e. What was done with the ballots after they were read?

f. How many challenged/affidavit/provisional ballots were totally rejected?

Give reasons below:

Reason for Rejection	Candidates Voted For

Initials:

GDP
THP

Candidates	Observer Count	Official Count	Challenged Ballot Count	Absentee Ballot Count
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				
Office:				
Name				
Name				

b. Provide any additional comments regarding activities while the votes were being counted.

Initials:



G

THP

[Signature]

☐ Not applicable to this coverage**CHART F – NAMES OF PERSONS PERMITTED TO VOTE** WD/AD/ED, if applicable: _____

Name	Race	Name	Race
1		28	
2		29	
3		30	
4		31	
5		32	
6		33	
7		34	
8		35	
9		36	
10		37	
11		38	
12		39	
13		40	
14		41	
15		42	
16		43	
17		44	
18		45	
19		46	
20		47	
21		48	
22		49	
23		50	
24		51	
25		52	
26		53	
27		54	
Subtotals By Race		Subtotals By Race	

Initials:

THP

JP